

Seth T. Taube

seth.taube@bakerbotts.com

Doreen L. Costa (admitted *pro hac vice*)

doreen.costa@bakerbotts.com

Suzanne M. Hengl (admitted *pro hac vice*)

suzanne.hengl@bakerbotts.com

BAKER BOTT S L.L.P.

30 Rockefeller Plaza

New York, New York 10112-4498

Tel: (212) 408-2500

Fax: (212) 259-2501

Kimball R. Anderson (admitted *pro hac vice*)

kanderson@winston.com

WINSTON & STRAWN LLP

35 W. Wacker Drive

Chicago, Illinois 60601

Tel.: (312) 558-5858

Fax: (312) 558-5700

Attorneys for Defendant Dell Inc.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SHARP CORPORATION,

Plaintiff,

v.

DELL INC.,

Defendant.

Civil Action No. 08-CV-05088 (PGS) (ES)
ECF Case

Request For Oral Argument

**NOTICE OF MOTION TO EXCLUDE THE EXPERT TESTIMONY AND
STRIKE THE EXPERT REPORTS AND OPINIONS OF SAM ROSENFARB**

TO: Richard S. Taffet
Kenneth I. Schacter
Edward F. Maluf
Derek Care
BINGHAM McCUTCHEN LLP
399 Park Avenue
New York, NY 10022-4689

Robert J. Kipnees
LOWENSTEIN SANDLER PC
65 Livingston Avenue
Roseland, New Jersey 07068-1791

Attorneys for Plaintiff Sharp Corporation

PLEASE TAKE NOTICE that on February 22, 2011 at 9:30 a.m., or as soon thereafter as counsel may be heard, Defendant Dell Inc., by and through its counsel, Baker Botts L.L.P., will move before the Honorable Peter G. Sheridan of the United States District Court, District of New Jersey, at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Room 2020, Trenton, New Jersey 08608, for an order granting Dell's motion to exclude the expert testimony and strike the expert reports and opinions of Sam Rosenfarb;

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendant relies upon the accompanying Memorandum of Law, Declaration of Doreen L. Costa and exhibits;

PLEASE TAKE FURTHER NOTICE that a proposed form of order is submitted herewith; and

PLEASE TAKE FURTHER NOTICE that Defendant hereby requests oral argument.

Dated: New York, New York
January 21, 2011

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ Seth T. Taube

Seth T. Taube

seth.taube@bakerbotts.com

Doreen L. Costa

(admitted *pro hac vice*)

doreen.costa@bakerbotts.com

Suzanne M. Hengl

(admitted *pro hac vice*)

suzanne.hengl@bakerbotts.com

30 Rockefeller Plaza

New York, New York 10112

Tel.: (212) 408-2500

Fax: (212) 259-2501

Kimball R. Anderson

(admitted *pro hac vice*)

kanderson@winston.com

WINSTON & STRAWN LLP

35 W. Wacker Drive

Chicago, Illinois 60601

Tel.: (312) 558-5858

Fax: (312) 558-5700

Attorneys for Defendant Dell, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2011, a copy of the foregoing NOTICE OF MOTION TO EXCLUDE THE EXPERT TESTIMONY AND STRIKE THE EXPERT REPORTS AND OPINIONS OF SAM ROSENFARB; and DECLARATION OF DOREEN L. COSTA was filed with the clerk of the court of the United States District Court for the District of New Jersey and will be sent electronically and via express courier to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Seth T. Taube

Seth T. Taube